Alberta Attorney General

1989 • 90 Annual Report

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Alberta
ATTORNEY GENERAL

Office of the Attorney General

423 Legislature Building, Edmonton, Alberta, Canada T5K 2B6 403/427-2339

April 26, 1991

The Honourable Dr. D. Carter
Speaker, Legislative Assembly of Alberta
325 Legislature Building,
Edmonton, Alberta
T5K 2B6

Mr. Speaker,

I am pleased to present the Annual Report of the Department of the Attorney General for the fiscal period April 1, 1989 to March 31, 1990.

Respectfully submitted,

Ken Rostad

Ken Rostad, Q.C.
Attorney General

Alberta
ATTORNEY GENERAL

Office of the Deputy Attorney General

9833 - 109 Street, Edmonton, Alberta, Canada T5K 2E8 403/427-5032

April 25, 1991

The Honourable Ken Rostad, Q.C.,
Attorney General of Alberta
423 Legislature Building
Edmonton, Alberta
T5K 2B6

Dear Mr. Attorney General,

I have the honour to present to you the Annual Report of the Department of the Attorney General for the year ending March 31, 1990.

During the year, it was my pleasure to succeed D.W. Perras, Q.C. as Deputy Attorney General. The Honourable Mr. Justice Perras was appointed to the Court of Queen's Bench of Alberta in October of 1989.

This report documents the full range of Department activities for the 1989-90 fiscal year. New legislation was instrumental in the significant progress made in the Department's drive toward improved public service. With the introduction of the Personal Property Security Act, Albertans came to enjoy better and faster personal property registrations and searches. The Provincial Offences Procedures Act resulted in a more flexible system to deal with traffic tickets. Also, changes to the Land Titles computer system, now allow the public greater and more timely access to the land-related documents they seek, even in the face of greater demand.

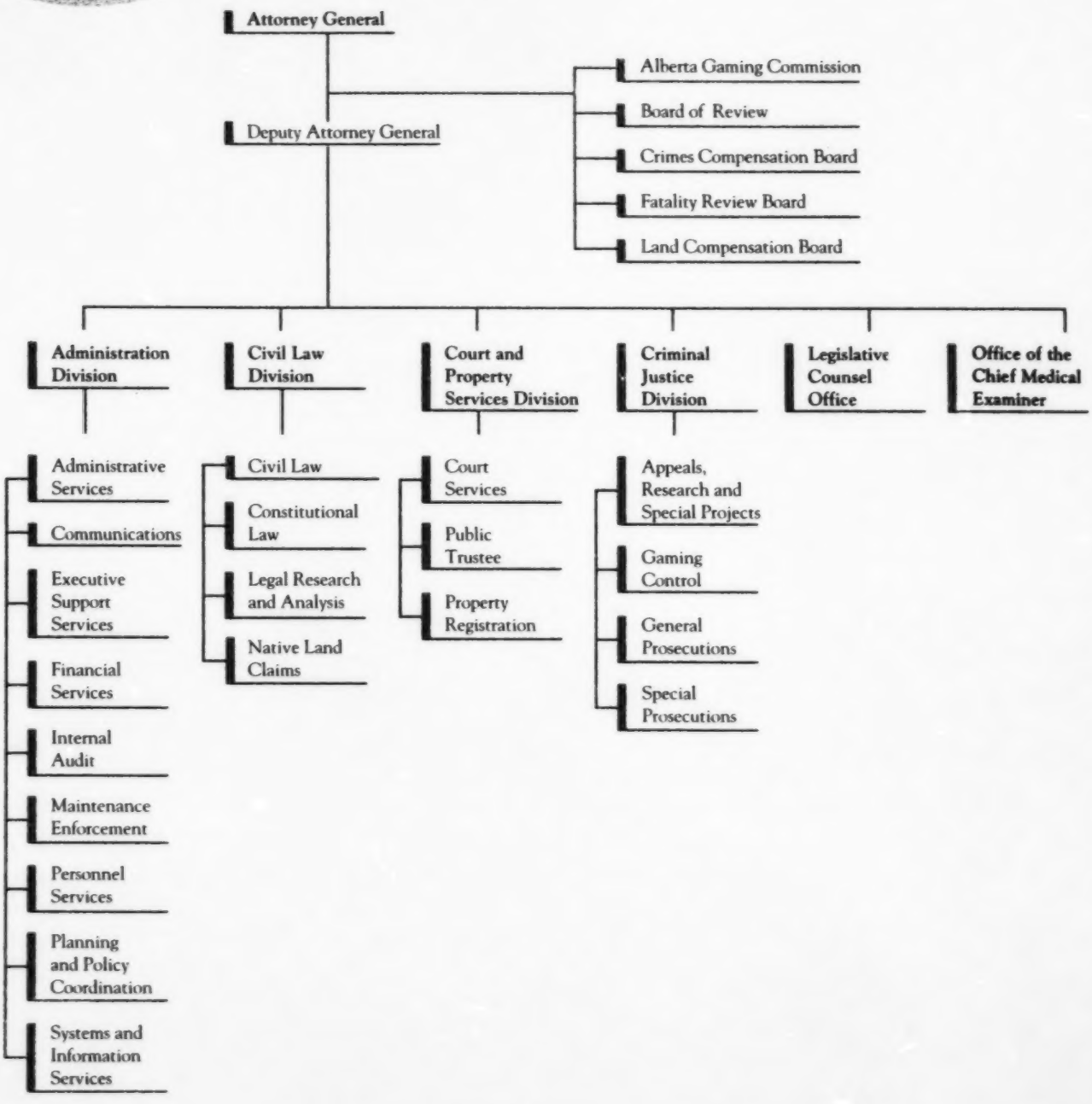
Legal representation continued to be highly competent. Department lawyers carried out prosecutions and represented this Department and other provincial government departments at all levels of court in the exemplary fashion Albertans have come to expect.

It would have been impossible to meet the many and varied challenges presented to the Department during this time without the dedication, expertise and enthusiasm of our employees.

Respectfully submitted,

Neil McCrank, Q.C.
Deputy Attorney General

ORGANIZATION CHART



ADMINISTRATION DIVISION

D. Medwid - Executive Director

ADMINISTRATIVE SERVICES BRANCH

H. A. Brinton - Director

Function and organization:

There are four sections in the Branch which provide ongoing administrative functions for the Department:

- **Materials and facilities**
  This section is a central purchasing and supply service. Staff also administer facility and accommodation projects and coordinate word processing systems.
- **Official Documents and Appointments**
  Staff in this section process appointments and maintain files on Alberta's 29,836 commissioners for oaths and 487 notaries public. The section also manages the Provincial Secretary's Office.
- **Records and Micrographic Services**
  The section supplies all manner of records management, microfilming, processing, editing and duplicating to the Department. Staff run the central records office, the records disposition program and microfilm labs. In 1989-90, staff made 7,360,400 camera exposures in the course of creating micrographic records.
- **Special Services**
  In this section staff maintain a forms management program and operate a reprographics unit.

COMMUNICATIONS BRANCH

L.J. Gronow - Director

Function and organization:

With three public affairs officers and two support staff, the Branch provides a wide variety of communications services to the Department. A primary function of the Branch is media relations. Branch staff provide information daily to reporters on criminal case dispositions, appeals and Department policy and process as well as outcomes of fatality inquiries. The Branch also handles similar information requests from the public. Branch staff identify and research issues and public concerns and, because the Attorney General is also the Minister responsible for Native Affairs, the Branch deals with media on native issues. In addition, the Branch provides public relations counsel to the Department's executive management and its affiliated boards and agencies.

Activities:

- **News Releases**
  Branch staff wrote and distributed news releases on a variety of subjects including fatality inquiries, judicial and Queen's Counsel appointments, native land claims, new legislation and news regarding affiliated boards and agencies.
- **Production**

Branch staff:

- arranged for photographers, sittings and framing;
- produced two displays for the Land Titles Offices;
- produced brochures for the Court Services Branch, the Public Trustee, the Land Titles Offices, the Maintenance Enforcement Program and the Medical Examiners Office;
- produced an annual report/review for the Medical Examiner, the Crimes Compensation Board, the Alberta Gaming Commission and the Department as a whole; and
- planned or assisted in the planning of news conferences and several special events.

- **Newsletter**
  Throughout the year branch staff continued to produce the *In General* newsletter.

EXECUTIVE SUPPORT SERVICES BRANCH

R. Petruk, Ph.D. - Manager

Function and organization:

The Branch, with a staff of two, supports the Department's senior managers by:

- assisting with the administration of senior committees,
- providing policy analysis,
- representing the department in various federal/provincial forums, and
- undertaking special projects.

FINANCIAL SERVICES BRANCH

D.I. Hope, B.Comm., C.M.A. - Director

Function and organization:

There are three sections in the Financial Services Branch:

- the Financial Planning section coordinates the preparation of annual department budgets and the management review of spending against plans;
- the Expenditures section verifies and processes all Department accounts payable and payroll transactions; and
- the Revenue and Trust section processes and provides central control over the receipt and banking of revenues and trust monies received by the Department.

For statements of revenue and expenditures see Appendix B, page 25.

Activities:

- **Revenue reporting system**
  During this period, the Branch continued development work on a computerized system to improve reporting to program and senior management. The system is scheduled for completion in the summer of 1990.
- **Accounting support**
  The Branch continued to provide accounting support for development of major systems throughout the Department including the Alberta Land Titles Automation (ALTA) system, the Personal Property Registry Information System (PERPIS) and the Fines Collection System.

☐ INTERNAL AUDIT BRANCH

E.T.N. Berg C.A. - Director

Function and organization:

With a staff of seven, the Internal Audit Branch provides the Department's management team with audit coverage of the whole Department. The Branch places emphasis on management control of operations, finances and the system development process. Using an independent, systematic appraisal process, Branch staff collect information on financial and management procedures and controls and the efficiency and effectiveness of Department programs. Staff analyze the information and advise management of the relative adequacy of these activities.

Activities:

- **Branch automation**
  During the 1989-90 fiscal year, the Internal Audit Branch developed a plan to automate the Branch's administrative and audit functions. Implementation is scheduled for December, 1990.

☐ MAINTENANCE ENFORCEMENT PROGRAM

G. C. Leibel - Director

Function and organization:

The Program was developed to ensure that court orders for child support and spousal maintenance are collected and paid to the appropriate individuals. The program may use public searches and provincial and federal government information banks to locate individuals who should be paying maintenance. Once individuals who are required to pay have been located, the Program staff use methods allowed by the Maintenance Enforcement Act to try to collect the payments.

On average, the Maintenance Enforcement Program receives 600 new files each month. Since the Program began, in February 1986, 38,000 orders have been registered. During fiscal 1989-90, the 110 Program staff members collected $40.886 million of which $8.6 million was recovered for the Crown.

Activities:

- **Direct deposit system**
  Program staff established a system that allows creditors to choose to have payments collected by the Program deposited directly into their bank accounts. Creditors using this system receive the benefits of convenience, security and confidentiality.
- **Service code and goals**
  Program goals and a code of ethics were established during the year to create an atmosphere of common purpose and priorities for Program staff.

PERSONNEL SERVICES BRANCH

G.D. Dawson - Director

Function and organization:

As a centralized human resource service, this Branch provides services to the Department which include:

- recruitment and selection,
- position classification,
- staff development,
- organizational analysis,
- human resource planning,
- staff relations, and
- benefit administration.

Activities:

- **Series review**
  As the result of a government-wide review, a number of Department employees moved into the Administrative Support Series during the 1989-90 fiscal period. This movement will help to remove career path barriers for over 1,000 of the Department's 2,500 employees. For distribution of Attorney General employees by division and occupation see Appendix C, page 26.

- **New class series development**
  The Branch began work on a new class series in the Public Trustee's Office. The existing two level Estates Officer series will be replaced with a three level Trust Officer series. Implementation is targeted for September 1990.

- **Research**
  During this fiscal period, the Branch continued researching and analyzing compensation and classification options for the Department's legal professionals.

- **Recruitment and staff development**
  Recruitment continued to be high, but the average monthly vacancy rate was 3.2 per cent during the year. In addition, the Branch also offered 93 courses which were attended by a total of 827 employees.

PLANNING AND POLICY COORDINATION BRANCH

J. Wilson - Director

Function and organization:

The Planning and Policy Coordination Branch provides information to the Department's management team. The Branch coordinates the collection, analysis and distribution of information on the administration of justice. This information assists managers in making decisions which affect their programs and helps in the forecast of justice trends. When requested, Branch staff provide technical advice and information analysis to program managers for project development. In the 1989-90 fiscal year, the number of Branch staff decreased from eight to seven members.

Activities:

- **Project management support**
  During the year, the Branch provided project management support to the Personal Property Registry for the implementation of the Personal Property Security Act and for the development of the accompanying computer system.
- **Management information**
  Branch staff were involved in the identification of key workload indicators for the Court and Property Services Division.
- **Canadian Centre for Justice Statistics**
  The Branch continued to act as liaison for the Department with the Canadian Centre for Justice Statistics, providing up-to-date information to the Centre and disseminating pertinent information from the Centre to the Department. Also, the Branch Director provided secretariat support to the Deputy Attorney General in his role as Chairman to the Centre's Liaison Officers Committee.

☐ SYSTEMS AND INFORMATION SERVICES BRANCH

J. Sorensen - Director

Function and organization:

The 21 staff members at the Systems and Information Services Branch provide data processing services to the Department, which is becoming increasingly dependent on automation. By fiscal year end there were 1,500 electronic data processing users in the Department of the Attorney General and over 60 per cent of employees used a computer every day. The Branch is divided into a Systems Coordination unit, an Information Centre unit and a Systems Support unit, which was introduced during the 1988-89 fiscal year and became fully operational in 1989-90. Branch staff:

- select consultants,
- determine requirements,
- recommend automated solutions,
- select and acquire computer hardware and software,
- provide project management on systems projects,
- develop systems,
- maintain and enhance systems,
- implement and support systems,
- provide communications support, and
- provide training.

Activities:

- **System maintenance and support**
  In fiscal 1989-90, the Branch assumed responsibility for maintenance and support of the Criminal Justice Information System (CJIS) and the Maintenance Enforcement Tracking System (METS).
- **Data base administration**
  During the year, Branch staff assumed responsibility for data base administration for the Land Titles information system (ALTA) as well as CJIS and METS.
- **System development**
  The Branch participated in the development of the Personal Property Information System (PERPIS). The system, designed to support the Personal Property Security Act, is scheduled for implementation October 1990, to coincide with the proclamation of the Act.

CIVIL LAW DIVISION

D. Rae, Q.C. - Assistant Deputy Minister

CIVIL LAW BRANCH

R.N. Dunne - Executive Director

Function and organization:

With 61 legal positions and 37 administrative and support staff, the Civil Law Branch provides civil legal advice and services to all provincial government departments and many government boards and agencies. Branch staff are located in the Department's offices in Calgary and Edmonton, with some lawyers seconded to other government departments. Lawyers are organized into groups, with each group responsible for providing services to one or more of the departments, boards or agencies. In addition, separate groups conduct civil litigation commenced by or against the provincial government and provide specialized legal advice in native, securities, and family law areas.

Activities:

- **Ongoing projects**
  Branch lawyers provide a variety of civil legal services which include:
- preparing legal opinions;
- drafting agreements and other legal documentation;
- appearing as counsel for the Crown in all courts of civil jurisdiction, including the Supreme Court of Canada;
- representing the Crown in proceedings before various administrative boards, commissions and tribunals;
- appearing on behalf of the Attorney General at public inquiries under the Fatality Inquiries Act; and
- serving on various interdepartmental committees.

CONSTITUTIONAL LAW BRANCH

N.D. Steed - Director

Function and organization:

With a staff of six lawyers and four administrative support people, the Branch acts as a source of constitutional law expertise to the Alberta government. Branch lawyers provide legal advice to all provincial government departments and represent them before courts and tribunals.

Activities:

- **Ongoing projects**
  During the 1989-90 fiscal year, the Branch continued:
- defending constitutionally challenged legislation on behalf of the Attorney General and other government departments;
- reviewing government policies, practices and legislation for the purpose of identifying and analyzing potential constitutional problems; and
- providing legal advice on constitutional issues to the Attorney General and other government departments.

[redacted]

C.W. Dalton - Director

Function and organization:

The Legal Research and Analysis Branch provides a broad range of legal policy advice to the Attorney General on legislative matters. As part of the Department's administrative responsibility, the three Branch lawyers consider proposals from various sources for new legislation and for amendments to existing legislation. They then make recommendations to the Attorney General regarding the proposals. In preparing recommendations, they consult with other government departments, other provincial governments, the federal government, law reform agencies, the legal profession and the public.

Activities:

- **Free trade**
  During the year, the Branch provided ongoing advice on the Free Trade Agreement and other international trade matters to government departments.
- **New legislation**
  Branch staff were involved in the development of legislation with respect to international conventions, legislation governing the legal profession and legislation to implement some of the final reports of the Alberta Law Reform Institute.
- **Provincial Court Act amendments**
  The Branch developed proposals which resulted in amendments to the Provincial Court Act, raising the limit for civil claims under the Act from $2,000 to $4,000 and providing for a comprehensive default judgment system. The amendments received assent August 1989 and came into force January 1990.
- **Representation/membership**
  During 1989-90, Branch staff:
  - served as counsel to the joint government/industry Task Force on Builders' Liens;
  - served as counsel to the Alberta Task Force on the Recognition of Foreign Qualifications;
  - served on the Board of Directors of the Alberta Law Reform Institute; and
  - served as Commissioner for Alberta at the Uniform Law Conference of Canada.

[redacted]

K. Boutillier - Director

Function and organization:

With two professional staff and the Director, the Native Land Claims group provides policy advice, coordinates the involvement of other government departments and represents the Government of Alberta in all land claims negotiations.

Activities:

- **Land claim settlements**
  During fiscal 1989-90, the Native Land Claims group negotiated settlements of two of the larger outstanding Treaty land entitlement short fall claims in the province. On January 11, 1990, final settlement agreements were concluded with the Sturgeon Lake and Whitefish Lake Indian Bands. Together, these settlements involved the transfer of approximately 23,000 acres of Crown land, including mines and minerals, for incorporation into the Bands' existing Reserves. In addition, the settlements provided a total of approximately $25 million from the federal and provincial governments to the two Bands.

COURT AND PROPERTY SERVICES DIVISION

Assistant Deputy Minister - J.E. Klinck, Q.C.

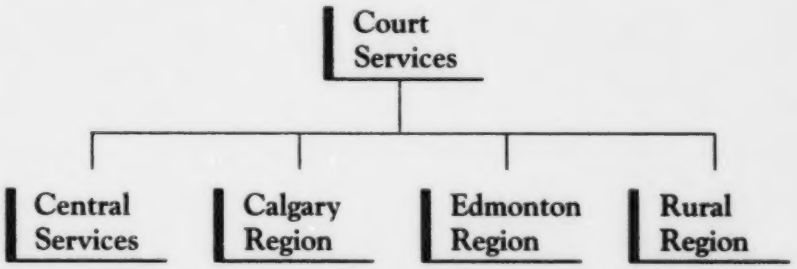
COURT SERVICES BRANCH

R.B. Dunster - Executive Director

Function and organization:

The Court Services Branch, with 969 employees, provides administrative support to all of the courts within the province.

There are four service areas within the Court Services Branch. Central Services develops policy and procedure, coordinates and prepares budgets and designs and prints court forms. Central Services is also responsible for the law libraries, computer systems for the courts and the central reporting/recording unit. The remaining service areas are divided into three regions - Calgary, Edmonton and Rural.



The following services are provided in each region:

- **Court Administration**
  Court administration staff accept documents from the public, law enforcement agencies and other parties. They file and maintain court documents, records and exhibits and receive and account for fines and fees. These personnel are also present at all court proceedings to call the court to order, swear in witnesses, make records of the proceedings and accept exhibits. Court administration staff reside at 24 locations throughout the province.
- **Reporting/Recording**
  Court reporting/recording staff are present at all court proceedings and make verbatim records of the proceedings.
- **Sheriffs' Operations**
  The Sheriff's Office serves and enforces court orders and documents including jury summonses and writs effecting seizures and evictions.

Activities:

- **System update**
  The implementation of the Provincial Offences Procedure Act necessitated many changes to the ticket processing component of the computerized Court Automation Project (CAP) system. Court Systems developed and implemented the appropriate modifications with no disruption in service.
- **Civil case tracking**
  In January of 1990, new legislation, which doubled the monetary limit of transactions dealt with in Provincial Court, Civil Division, came into effect (see Provincial Court, Appendix D, page 29).Court Systems developed a civil case tracking system which was implemented in Calgary and Edmonton to coincide with proclamation of the legislation. This resulted in a greater number of transactions processed at each

location with no disruption to service and continuous satisfactory system performance.

- **Court reporting/recording**
  During the year, staff prepared approximately 728,000 pages of verbatim transcript of various court proceedings throughout the province.
- **Law libraries**
  Libraries acquired a total of 17,749 volumes in 1989-90. The total provincial collection is 385,755 volumes. Staff noted increases in computer-assisted research and major research questions while circulation, manual circulation and reference questions decreased.
- **Court activities**
  See caseload statistics Appendix D, page 30.

☐ PROPERTY REGISTRATION BRANCH

K.B. Payne, L.L.B. - Director

Function and organization:

The Property Registration Branch is divided into two units, the Land Titles Offices and the Personal Property Registry. Within their own areas, the units perform many similar functions including searches and registration of documents related to interests in property. The Personal Property Registry is further divided into the Central Registry and the Vehicle Registry.

Land Titles Offices

The Land Titles Offices, in Calgary and Edmonton, guarantee ownership of title to land and register documents affecting the ownership of interests in land.

Activities:

- **ALTA project**
  During this fiscal year, the final portion of the first phase of the Alberta Land Titles Automation (ALTA) system was implemented allowing computerized registration of all land-related documents to take place at the Land Titles Offices in Calgary and Edmonton. All certificates of title will be transferred from their present paper form to the computerized ALTA system by December of 1992. The Offices also began implementing portions of the second ALTA phase which include accounting, historical search and remote search functions.
- **Trends**
  Real estate activity was extremely high during 1989-90, particularly in southern Alberta, resulting in a 20.4 per cent increase in document registrations from the previous year. In addition, survey plan registrations, the number of certificates of title issued and searches all increased substantially (see Appendix E, page 31).

Personal Property Registry

The Personal Property Registry registers notices of security interests in personal property and performs searches of registered information.

Activities:

- **New legislation**
  The Personal Property Security Act, which was introduced in the Legislative Assembly in 1988 as Bill 51, is scheduled to come into force October 1, 1990. The Act modernizes the law for loan transactions where personal property is used to secure payment. The Act amalgamates the Central and Vehicle registries and transfers the responsibility for corporate mortgage registrations from the Corporate Registry to the Personal Property Registry.
- **Forms and guides**
  The Branch began to redesign Personal Property Registry forms and guides using plain language to ensure that both are easy to work with and are easily understood.
- **Education programs**
  The Registry participated in education programs sponsored by the Legal Education Society of Alberta to acquaint lawyers, business people and others with the new legislation and its related forms and procedures.
- **PERPIS project**
  The Personal Property Information System (PERPIS) is the computer system which accommodates the new legislation. Work on PERPIS progressed steadily during the 1989-90 fiscal year and is scheduled for implementation October 1, 1990.

OFFICE OF THE PUBLIC TRUSTEE

W.A. deNance - Public Trustee

Function and organization:

With offices in Calgary and Edmonton, the Public Trustee:

- acts as Trustee to dependent adults (people who are mentally disabled);
- administers deceased persons' estates when they die intestate (without leaving a will) if the deceased persons have no adult relatives in the province; and
- acts as guardian by protecting the assets and financial interests of missing persons and children under 18 years of age.

CRIMINAL JUSTICE DIVISION

M.N. McCrank, Q.C. - Assistant Deputy Minister

Activities:

- **Official guardian**
  During 1989-90, the Public Trustee became official guardian for 2,090 new estates of children and missing persons. This is a 10.9 per cent increase over the 1,884 new cases undertaken by the Public Trustee in 1988-89.
- **Dependent adults**
  In dependent adult administration, the Public Trustee opened 314 files, a 9.4 per cent increase over the previous year's 287 cases undertaken.
- **Deceased estates**
  This year, 629 files were opened in this area, an increase of 26.3 per cent from the 498 files opened in the previous year.
- **Overall estate administration**
  Some 3,033 cases were undertaken in this fiscal period, up 13.6 per cent over the previous period, while 3,170 cases were concluded during the year. In total, 19,632 cases were administered by the Public Trustee in 1989-90, down 137 cases from the previous year. Notwithstanding the decrease, the total trust assets under administration rose from $229 million in 1988-89 to $234 million in 1989-90. The Public Trustee attributes the rise to a trend toward larger estates, with a greater diversity of assets.

APPEALS, RESEARCH AND SPECIAL PROJECTS BRANCH

P. C. Bourque - Director

Function and organization:

With an office in Edmonton, an office in Calgary and a total of six appellate counsel, the Branch performs a variety of functions for the Department in the area of criminal appeals and criminal law policy. Appeals, Research and Special Projects Branch staff:

- are responsible for all appeals to the Court of Appeal of Alberta and the Supreme Court of Canada. Branch counsel review appeal recommendations from crown prosecutors and decide which cases to appeal at both levels of court and prepare and argue appeals in both courts;
- decide whether to intervene in Supreme Court cases and then prepare and argue interventions;
- review charter challenges to criminal law and argue those involving key legal and policy issues;
- respond to selected applications for prerogative relative in the trial courts;
- provide information and advice to Alberta prosecutors and law enforcement officers; and
- brief senior management on criminal law policy issues.

Activities:

- **Litigation support system**
  Having begun with a review of available software and training in fiscal 1988-89, the Branch acquired the appropriate software and hardware in fiscal 1989-90. During the year, Branch staff also laid the ground work for implementation and soon expect to be fully operational. The litigation support system allows counsel to use computers in reviewing transcripts and preparing factum.
- **Special projects management**
  Work continued in this area throughout 1989-90. Branch staff began to identify special projects requiring status reports in mid-1989 and then compiled and distributed the reports to senior management throughout the year. The reports enable senior officials to make informed management decisions regarding criminal law policy, based on sound, up-to-date data.
- **Appeal list management**
  After identifying the need for a more efficient manner of scheduling appeals in 1988, Branch staff began work on a new system in 1989-90. Meeting with members from the Court of Appeal of Alberta, the Criminal Trial Lawyers Association and the Canadian Bar Association, the Branch developed recommendations for case management for review by the Court of Appeal.

GAMING CONTROL BRANCH

W.W. McCall - Director

The Gaming Control Branch works in conjunction with the Alberta Gaming Commission to license charitable organizations to conduct gaming events to raise funds for charitable purposes.

The Branch has an investigative staff of nine in Edmonton and eight in Calgary. Eleven audit clerks review all financial reports submitted and, six licence reviewers, together with support staff, prepare all licencing documents for Commission signature. The Gaming Control Branch has a total complement of 58 positions.

Branch staff:

- review all gaming applications for the Alberta Gaming Commission which is the province's independent gaming licence issuing authority,
- audit all financial reports submitted by licencees, and
- investigate all public complaints related to gaming.

Activities:

- **Inspection program**
  To increase accountability, the Branch began a new inspection program of large raffles. As part of the program, the Branch doubled the number of inspections and spot field audits of bingo, casino and pull tickets. This practice is designed to eliminate inconsistencies in management procedures of these gaming events.
- **Terms and conditions review**
  In order to accommodate changing practices and new technology, the Branch reviewed all bingo and casino terms and conditions and prepared an updated, forward-looking version for the Alberta Gaming Commission.
- **Information gathering system**
  During the 1989-90 fiscal year, the Branch continued revamping the information gathering system in the investigation units to provide a more complete picture of enforcement and dollar losses in charities.
- **Equipment update**
  The Branch acquired sophisticated equipment to examine pull tickets for evidence of poor quality, enabling Branch staff to halt the marketing of inferior tickets.

GENERAL PROSECUTIONS BRANCH

R.H. Davie, Q.C. - Director

Function and organization:

The 126 lawyers in the General Prosecutions Branch are engaged by the Department to represent the Crown and conduct prosecutions on behalf of Albertans. They prosecute people and corporations charged under provincial statutes and the Canadian Criminal Code. The Branch is divided into a head office in Edmonton and 12 field offices located in Calgary, Edmonton, Fort McMurray, Grande Prairie, Hinton, Lethbridge, Medicine Hat, Peace River, Red Deer, St. Paul, Vegreville and Wetaskiwin. In each office there is a Chief Crown Prosecutor while the Branch Director and Assistant Director are at head office. There is also a sub-office at Drumheller.

Activities:

- **Pollution prosecutions**
  During the year, together with the Department of Environment and the Department of Forestry, Lands and Wildlife, the Department of the Attorney General developed a mutually agreeable protocol to investigate and prosecute significant pollution offences. The Branch established a committee, chaired by the Branch Director, to administer the Department's role under the protocol.
- **Repeat offender policy for impaired drivers**
  The Branch developed a policy during fiscal 1989-90 to expose a higher number of repeat offenders to imprisonment. Implementation of the policy is scheduled for August, 1990.
- **Additional Assistant Chief Crown Prosecutors**
  The position of Assistant Chief Crown Prosecutor was added to six of the larger prosecutors' offices.
- **Automation**
  Prosecutors' offices in Lethbridge, Medicine Hat and Red Deer were added to the computerized Criminal Justice Information System (CJIS).
- **Orientation program**
  Branch staff developed and implemented a staff orientation program to acquaint new employees with the Branch.

SPECIAL PROSECUTIONS BRANCH

B.R. Fraser, Q.C. - Director

Function and organization:

With four lawyers in the Edmonton office and three in the Calgary office, the Special Prosecutions Branch prosecutes all complex, protracted and high-profile criminal cases that arise within Alberta and fall within the Branch's area of responsibility. All seven lawyers are highly specialized prosecutors in this area which includes:

- significant commercial or corporate crime,
- organized crime,
- interprovincial and international crime,
- crimes alleged to have been committed against government,
- prosecutions relating to criminal contempt of court,
- crimes alleged to have been committed by members of the Law Society in the course of their law practice,
- crimes alleged to have been committed by government employees arising in the course of their employment,
- all matters relating to the new Proceeds of Crime legislation, and
- other cases directed to special prosecutions by the Assistant Deputy Minister (Criminal Justice).

Directing these types of cases to Special Prosecutions Branch prosecutors ensures the best possible legal decisions during investigations and when the charges are laid. Also, it ensures the most effective preparation and the highest degree of excellence throughout the court process.

LEGISLATIVE COUNSEL OFFICE

Peter Pagano, Q.C. - Chief Legislative Counsel

LEGISLATIVE COUNSEL OFFICE

Function and organization:
With nine legal staff, the Legislative Counsel Office drafts all government bills, regulations and orders-in-council. In order to prepare and compose these documents, Office staff consult with ministers, deputy ministers, board chairmen and senior government officials.

Activities:

- **Draft legislation implemented**
  During the 1989-90 fiscal year, the Branch drafted:
  - 26 public acts which received royal assent,
  - 771 orders-in-council, and
  - the majority of the 338 regulations filed under the Regulations Act.
- **Ongoing revisions**
  Revisions of Alberta Regulations continued throughout the year.

OFFICE OF THE CHIEF MEDICAL EXAMINER

J. C. Butt, M.D. - Chief Medical Examiner
G.P. Dowling, M.D. - Deputy Chief Medical Examiner
G. Jones, Ph.D. - Chief Toxicologist

OFFICE OF THE CHIEF MEDICAL EXAMINER

Function and organization:

Located in Calgary and Edmonton, the Office of the Chief Medical Examiner has a staff of three forensic pathologists, 49 support staff and approximately 150 medical examiners and 60 pathologists (who work on a fee-for-service basis). Both locations are modern, well-equipped facilities; each with its own toxicology lab. The staff at the Office:

- investigate sudden deaths (approximately 30 per cent of all deaths in Alberta are investigated in the Office of the Chief Medical Examiner),
- perform post-mortem examinations and tests,
- solicit post-mortem corneal donations,
- initiate and maintain files of medical and social information for each case,
- conduct educational programs, and
- maintain a statistical database. For statistics on reported deaths and the corneal donation program see Appendix F, page 32.

Activities

- **Education**
  During 1989-90, the Office co-sponsored a symposium with the University of Calgary for those involved in sudden death investigation including investigators, coroners and police. The Office also sponsored a medical examiner's symposium and continued the post graduate program for pathology trainees.
- **Death notification**
  During the year, the Office investigated 3,451 deaths. Refer to the caseload chart, Appendix F, Page 32 for details.
- **Research**
  The Office initiated an epidemiology research program which included a study into asthmatic death. Office staff also continued to collect statistics on sudden and unnatural deaths for government, universities and other agencies.

BOARDS AND AGENCIES

ALBERTA GAMING COMMISSION

K.C. Joshee, C.M. - Chairman

Function and organization:
With a full-time chairman and six part-time members, the Alberta Gaming Commission licenses charitable and religious organizations to raise funds for charitable purposes by conducting gaming events. The Commission works in conjunction with the Gaming Control Branch of the Department of the Attorney General (see page 16). The Commission conducts public hearings periodically throughout the year in Calgary and Edmonton to review:

- organizations' eligibility for licence,
- requests to amend gaming policy, and
- submissions requesting new types of gaming activities.

The Commission publishes an annual review summarizing each year's activities including new developments and licenced gaming statistics.

Activities:

- **New process for proceeds**
  During the 1989-90 fiscal year, Commission staff implemented a process which allows charitable organizations to pool net casino proceeds.

BOARD OF REVIEW

N. Primrose, Q.C. - Chairman

Function and organization:
The Board of Review is established and empowered under section 619 of the Criminal Code of Canada. The Board consists of a chairman, one lawyer (with an alternate), two psychiatrists and a lay person; all part time. Board members meet twice yearly with special reviews as required. Members review cases of persons whom the court has found unfit on account of insanity, to stand trial or not guilty by reason of insanity; that is, not criminally responsible on account of mental disorder. These persons are detained under Lieutenant Governor's Warrants.

When reviewing a case, the psychiatrist in charge presents a medical report to the Board. The Board reviews the case and hears evidence from the treatment staff, family, the patient and the patient's counsel. The Board then makes a recommendation and reports to the Lieutenant Governor. It may recommend that:

a) if the person was found not guilty by reason of insanity, that certain privileges, such as living out of the hospital be granted, or in the event of recovery, that the patient be discharged either absolutely or subject to conditions; or

b) in the case of unfitness, if the patient is found fit to stand trial, the Board recommends that the patient be returned to stand trial.

When the Board finds that patients are fit and recommends they return to stand trial, the issue of fitness is then decided by the court.

Activities:

- **Cases reviewed**
  During the fiscal year 1989-90, the Board reviewed 113 cases. Of these, 19 persons were discharged as recovered, seven absolutely, one conditionally and one deceased. Ten people were returned to stand trial as fit. There were ten admissions: six were found unfit to stand trial and four were found not guilty by reason of insanity.

- **Change of venue**
  The Board generally meets at Alberta Hospital, Edmonton but, for the first time since the 1970s, reviewed five cases at the Claresholm Care Centre of persons living in approved accommodation in Claresholm under the supervision of the Centre's Director.

CRIMES COMPENSATION BOARD

B. A. Nahornick, M.D. - Chairman

Function and organization:

The Crimes Compensation Board assists victims of violent crimes who suffer financial loss as a direct result of injuries or death. The three-member Board may make financial awards in one-time payments, periodic payments, supplemental payments or monthly payments. The Board reviews monthly awards annually or as circumstances warrant and may make adjustments to reflect changing circumstances. Payments by the Board are based on the victim's actual pecuniary losses which include lost wages.

Activities:

- **Applications for compensation**
  During the year, the Board received 314 applications, 283 of which were from individuals who had suffered loss due to injury; 30 were from persons suffering loss due to death, including claims for support by dependents; and one application for property damage. The most frequent crimes for which applications were received were: assault causing bodily harm (154), murder (27), robbery with violence (26), sexual assault (17), assault on a police officer (17) and attempted murder (10).

- **Decisions**
  The Board made 446 decisions. Thirty-seven applications were refused, 233 were final awards, 37 were claims refusals and the remainder were interim or supplemental awards. The total compensation for the 1989-90 fiscal year was $1,090,924 which includes $623,253 in monthly payments for continuing liability.

- **Monthly payments**
  During this fiscal period, 67 victims received payments ranging from $50 to $2,900 a month.

□

K. E. Vik, M.D. - Chairperson
K. Wood, L.L.B. - member
M. Goulland - member

Function and Organization:
A lawyer, a physician and a lay person are appointed to the Board by the Lieutenant-Governor-in-Council. The Chief Medical Examiner is an ex officio member of the Board. Board members review all cases of accidental, unclassified and undetermined deaths. As well, deaths involving wards of the Court, any person held in custody and institutionalized persons who are retained under the Mental Health Act are reviewed. Inquiries are held before judges of the Provincial Court of Alberta.

Caseload statistics
for the year ending March 31, 1990

Number of cases reviewed by Board	1,077
Number of cases set for Public Inquiry:	23
Number of cases with recommendations:	9
Number of cases without recommendations:	10
Number of Public Inquires not yet complete:	4

□

A.O. Ackroyd, Q.C - Chairman

Function and organization:
The Land Compensation Board is an autonomous Board which operates independently from the Department of the Attorney General with a chairman, eight members and four support staff. During the 1989-90 fiscal year, a new chairman, who is also the chairman of the Public Utilities Board (PUB), was appointed. Two other members were also appointed to the Board, one being a PUB member, bringing the total number of members to eight. Land Compensation Board expenses were significantly reduced because the new chairman and the other PUB member serve without remuneration.

The Board deals with land expropriation. Under the Expropriation Act, several groups including municipalities, irrigation districts and other crown agencies may expropriate land from Alberta land owners. Board members determine impartially the extent of compensation to be paid based on land value, business losses and damages when property owners are not

satisfied with the proposed payment by expropriating authorities. All decisions are provided in writing, complete with explanation, to the property owner, with copies filed at provincial courthouses and the law libraries at the University of Alberta and the University of Calgary.

Activities:

- **Applications**
  Of a total 32 new applications made to the Board during the year:
- 23 were to determine compensation, of which 12 resulted in compensation totaling over $2 million,
- six dealt with procedural matters,
- two were to have costs taxed, and
- one was an inquiry into a proposed expropriation.

☐LEGAL AID SOCIETY OF ALBERTA

N. Nichols - Executive Director

Function and organization:
The Legal Aid Society ensures that all people enjoy equality before the law and that no person goes unrepresented in the legal process due to lack of money. The society appoints counsel (lawyers from the private bar) to represent people who apply and are found eligible in criminal and civil matters. Eligibility is determined by financial and substantive guidelines. Funding is provided by the provincial government, a portion of which is recovered from the federal government.

The Society is governed by a Board of Directors, the Law Society of Alberta and the Attorney General of Alberta. Legal Aid is made possible by the participation of private bar members in the judicare model of delivery.

Activities:

- **Choice of counsel**
  As of November 1989, clients were given the right to choose their own counsel, providing the lawyer acts personally and is prepared to meet other policy requirements.
- **Divorce coverage changes**
  Divorce coverage rules were amended in December 1989 to coincide with general civil coverage by removing the "compelling need" criterion.
- **24 hour duty counsel**
  The Society created a 24 hour duty counsel system by developing rosters of lawyers throughout the province who are willing to be contacted at any time of day.
- **Ongoing representation**
  During the year, the Society received 31,921 applications for coverage. Of the certificates issued, 56 per cent were for criminal cases, 22 per cent for young offenders and 22 per cent for civil matters.

APPENDIX A

Acts Administered by the Attorney General

Administration of Estates Act
Administrative Procedures Act
Age of Majority Act
Alberta Evidence Act
Alberta General Insurance Company Act
Arbitration Act
Assignment of Book Debts Act
Bills of Sale Act
Builders' Lien Act
Bulk Sales Act
Chattel Security Registries Act
Commissioners for Oaths Act
Conditional Sales Act
Contributory Negligence Act
Court of Appeal Act
Court of Queen's Bench Act
Criminal Injuries Compensation Act
Dangerous Dogs Act
Daylight Saving Time Act
Defamation Act
Department of the Attorney General Act
Devolution of Real Property Act
Domestic Relations Act
Dower Act
Execution Creditors Act
Exemptions Act
Expropriation Act
Extra-provincial Enforcement of Custody Orders Act
Factors Act
Family Relief Act
Fatal Accidents Act
Fatality Inquiries Act
Fraudulent Preferences Act
Frustrated Contracts Act
Garagemen's Lien Act
Guarantees Acknowledgment Act
Innkeepers Act
International Child Abduction Act
International Commercial Arbitration Act
Interpretation Act
Interprovincial Subpoena Act
Intestate Succession Act
Judgment Interest Act
Judicature Act
Jury Act
Justices of the Peace Act
Land Titles Act
Landlord's Rights on Bankruptcy Act
Languages Act / Loi linguistique
Law of Property Act[1]
Legal Profession Act
Legitimacy Act
Limitation of Actions Act
Maintenance Enforcement Act
Maintenance Order Act
Married Women's Act
Masters and Servants Act
Matrimonial Property Act
Mechanical Recording of Evidence Act
Minors' Property Act
Notaries Public Act
Oaths of Office Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Personal Property Security Act
Petty Trespass Act
Possessory Liens Act
Proceedings Against the Crown Act
Provincial Court Act
Provincial Court Judges Act
Provincial Offences Procedure Act
Public Inquiries Act
Public Trustee Act
Queen's Counsel Act
Reciprocal Enforcement of Judgments Act
Reciprocal Enforcement of Maintenance Orders Act
Regulations Act
Revised Statutes 1980 Act
Road Building Machinery Equipment Act
Sale of Goods Act
Seizures Act
Surrogate Court Act
Survival of Actions Act
Survivorship Act
Tort-Feasors Act
Trustee Act
Ultimate Heir Act
Unconscionable Transactions Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Women's Institute Act
Woodmen's Lien Act
Young Offenders Act

[1] *Jointly administered with the Minister of Forestry, Lands and Wildlife.*

APPENDIX B

Revenue and Expenditures

Statement of Revenue for the year ending March 31, 1990 (Unaudited)

Payments from Government of Canada:	Legal Aid	$ 6,742,425
	Other	550,573
		7,292,998
Fees, Permits and Licences:	Land Titles Fees	42,032,777
	Personal Property Fees	7,063,077
	Queen's Bench Fees	4,234,310
	Gaming Fees	3,890,263
	Public Trustee Fees	2,658,897
	Sheriff's Fees	1,575,690
	Other Fees	1,540,646
		62,995,660
Other Revenue:	Investment Income:	
	Bank Interest	326,946
	Refunds of expenditure:	
	Previous years' refunds	112,079
	Salaries and expenses	2,970
	Fines	20,053,014
	Maintenance Enforcement	8,738,307
	Assurance Fund Surpluses	1,960,203
	Miscellaneous	2,385,477
		33,578,996
	Total Revenue	**$ 103,867,654**

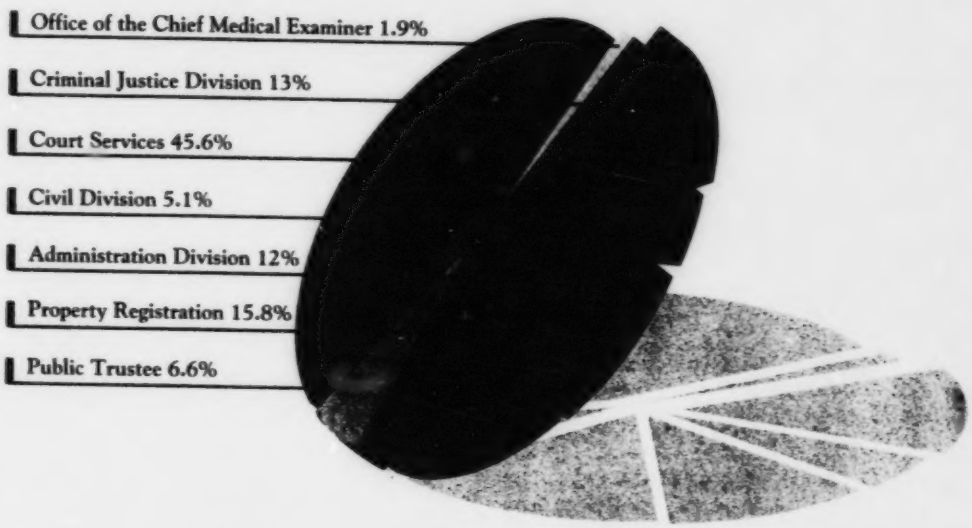
Statement of Expenditures for the year ending March 31,1990 (Unaudited)

Departmental Support Services	$ 7,670,192
Court Services	59,827,426
Legal Services	37,236,510
Support for Legal Aid	15,650,000
Protection and Administration of Property Rights	23,755,500
Fatality Inquiries	3,711,019
Crimes Compensation	1,285,432
Public Utilities Regulation	2,856,379
Gaming Control and Licencing	373,461
Total Expenditures	**$ 152,365,919**

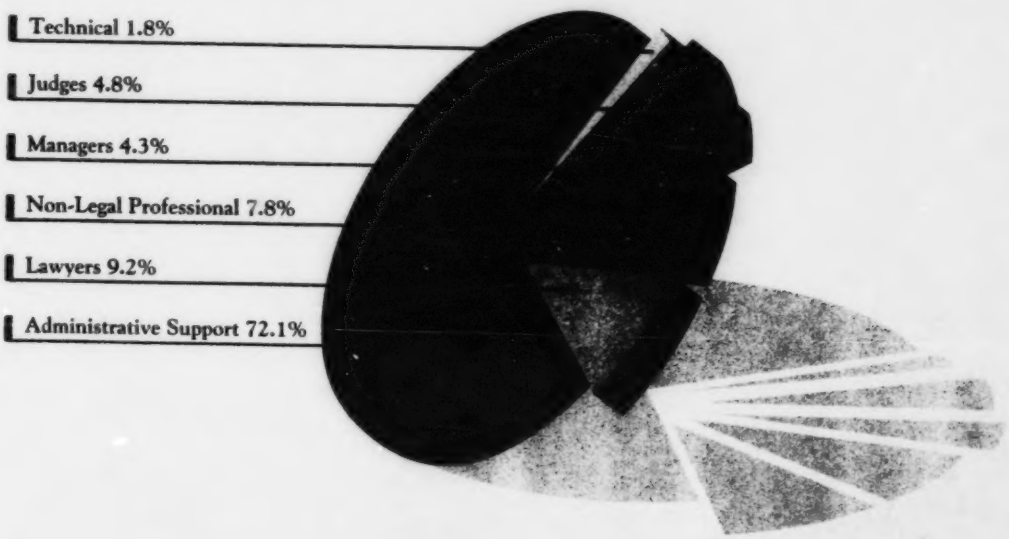
APPENDIX C

Personnel Distribution

Permanent position distribution by division for the year ending March 31, 1990

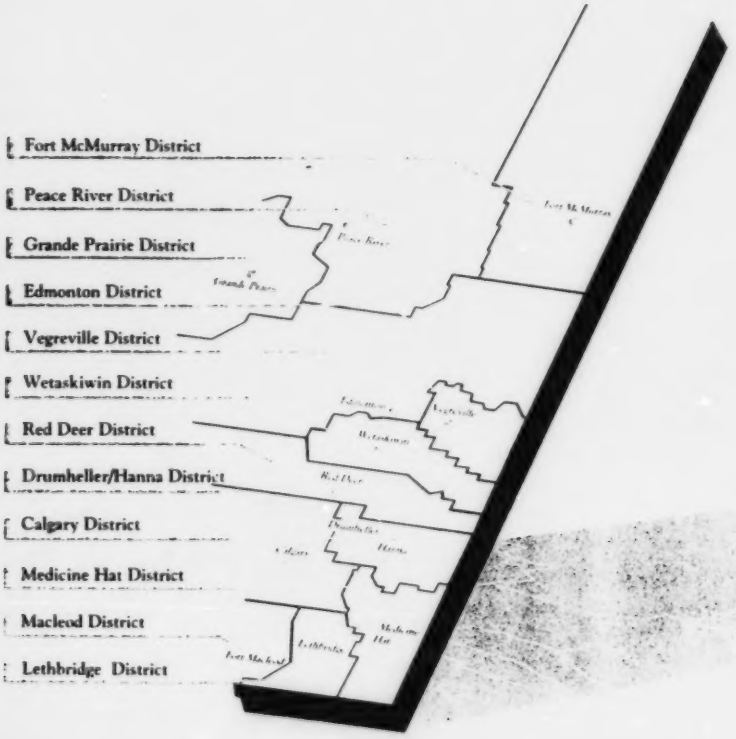


Permanent position distribution by occupational category for the year ending March 31, 1990



APPENDIX D

The Courts



There are four courts in Alberta, all constituted by provincial statute, the Court of Appeal of Alberta, the Court of Queen's Bench of Alberta, The Surrogate Court of Alberta and The Provincial Court of Alberta. Under the Department of the Attorney General Act, the Attorney General is responsible for the provision of administrative support to all of the courts within the province. This support is provided by the Court Services Branch of the Department. The Department also maintains a registry for the Court of Appeal of the Northwest Territories.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal from courts of provincial jurisdiction.

COURT OF APPEAL OF ALBERTA

The Honourable J.H. Laycraft - Chief Justice of Alberta

The Court of Appeal consists of the Chief Justice of Alberta and 13 Justices of Appeal, all appointed federally by the Governor-General-in-Council. The Court sits in both Calgary and Edmonton.

Rulings made at lower levels of court may be appealed to the Court of Appeal. Appeal Justices decide whether an appeal will be allowed in respect of decisions made by justices or judges of lower courts in both civil and criminal matters.

COURT OF QUEEN'S BENCH OF ALBERTA

The Honourable W.K. Moore - Chief Justice

The Chief Justice presides over the Court of Queen's Bench of Alberta. In addition to the Chief Justice, the Court is comprised of an Associate Chief Justice and 60 additional justices. During 1989-90, two justices were appointed to the Court of Queen's Bench, and two other justices elected supernumerary status.

The Court hears trials in both civil and criminal matters as well as appeals of decisions made by judges of The Provincial Court of Alberta.

THE SURROGATE COURT OF ALBERTA

The Honourable W.K. Moore - Chief Justice

The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of The Surrogate Court.

The Surrogate Court has jurisdiction in relation to testamentary matters and in the issuing of grants of probate and administration. It also has jurisdiction in the appointment of guardians and trustees.

THE PROVINCIAL COURT OF ALBERTA

His Honour E.R. Wachowich - Chief Judge

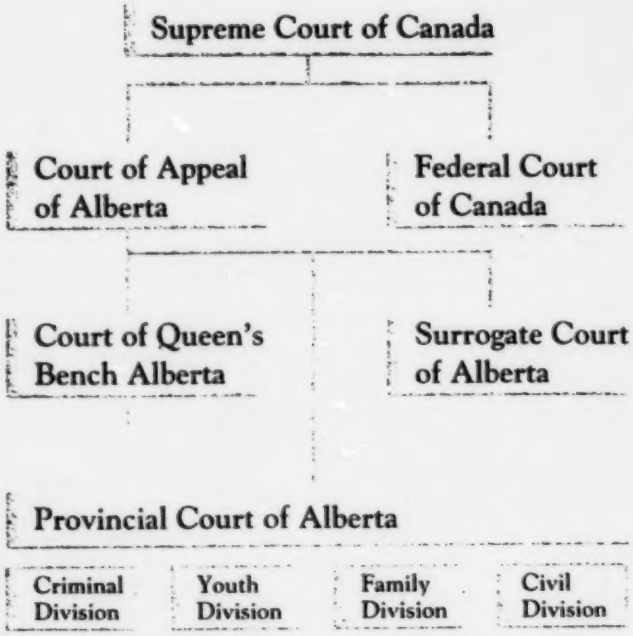
The Chief Judge presides over The Provincial Court of Alberta. In addition to the Chief Provincial Judge and eight Assistant Chief Judges, the court is comprised of 100 judges. During the year, two judges were appointed by the Lieutenant-Governor-in-Council, one for Calgary, and one for Edmonton. These appointments offset retirements which occurred on the Provincial Court Bench.

There are 24 permanent Provincial Court locations and 76 circuit courts in Alberta.

The Provincial Court exercises both criminal and civil jurisdiction by virtue of the Criminal Code, the Provincial Court Act and a variety of other statutes.

In January, 1990, new legislation came into effect changing the Small Claims division of the Provincial Court to the Civil Division. The legislation also increased the amount of small claims cases that may be heard in the Civil Division from $2000 to $4000.

For caseload statistics of all four courts see page 31.



Court Caseload Statistics for the year ending March 31, 1990

Court of Appeal of Alberta

Civil appeals filed	756
Civil appeals heard	375
Criminal appeals filed	1,044
Criminal appeals heard	802

Court of Queen's Bench of Alberta

Civil and Criminal Cases

Civil actions commenced (excluding divorce)	53,531
Civil trials heard (excluding divorce)	1,641
Petitions for divorce commenced	10,201
Decree nisi / Divorce judgments granted	8,471
Criminal trials heard	2,693
Summary conviction appeals filed	1,186
Summary conviction appeals heard	909

Sheriff's Office

Writs of execution filed	17,511
Distress warrants filed	13,901
Seizure activities	14,798
Process served	11,649
Jury summonses served	19,033

Surrogate Court of Alberta

Applications for Probate Administration filed	6,104
Grants of Probate issued	5,754

Provincial Court of Alberta

Criminal Division

Provincial Statute Offences received on Form A Tickets*	692,341
Charges received on Criminal Code Information	172,784

Family and Youth Divisions

Docketed Youth Charges**	52,927
Child Welfare applications	6,199
Family Court applications	3,940

Civil Division

Civil claims and Landlord and Tenant applications filed	30,642

* *The number of Form A Tickets received includes tickets issued to young offenders.*

***Also includes Reviews of Dispositions of young offenders.*

APPENDIX E

Land Titles Offices

Land Titles activities for the year ending March 31, 1990

Document registrations	Transfers	140,284
	Mortgages	99,411
	Caveats	110,285
	Liens	5,531
	Discharges	185,773
	Easements and Utility Rights-of-Way	7,578
	Miscellaneous	112,377
	Total	**661,239**
Survey Plan Registrations	Subdivision Plans	1,516
	Condominium Plans	150
	Road Plans	781
	Right-of-Way Plans	2,250
	Descriptive Plans	653
	Others	308
	Total	**5,658**
Tax Recovery	Titles Endorsed	5,518
	Tax Notices Issued	13,909
Certificates of Title Issued	On Transfers	154,313
	On New Subdivision Plans	14,782
	On New Condominium Plans	5,505
	Total	**174,600**
Searches	Plan Searches	176,405
	Telephone Searches	55,235
	Facsimile Searches	383,787
	Microfiche Titles (Pages)	65,686
	Photocopies - Titles and Documents (Pages)	3,556,259
	Computer Title Prints	1,617,901
	Microfilmed Documents (Pages)	1,259,209
	Total	**7,114,482**

APPENDIX F

...iner's office

Alberta Deaths Reported for the year ending March 31, 1990

Natural	1,820
Accidental	806
Suicidal	362
Homicidal	67
Unclassified	198
Undetermined	73
Pending	125
	3,451

Corneal Donation Program for the year-ending March 31, 1990

	No. of Requests	No. of Donations	%
Calgary	52	33	
Edmonton	26	13	
Alberta	78	46	59